

THE HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,
Plaintiff,
vs.
MOTOROLA, INC., et al.,
Defendants.

MOTOROLA MOBILITY LLC, et al.,
Plaintiffs,
vs.
MICROSOFT CORPORATION,
Defendants.

Case No. C10-1823-JLR

DECLARATION OF CHRISTOPHER
WION IN SUPPORT OF
MICROSOFT'S MOTIONS IN LIMINE

Noted: August 9, 2013

ORAL ARGUMENT REQUESTED

I, Christopher Wion, hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of the Pretrial Conference Hearing Transcript, dated October 29, 2012 in this matter.

1 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the
2 deposition of Kirk Dailey, taken July 12, 2012 in this matter.

3 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the
4 deposition of K. McNeill Taylor, Jr., taken March 20, 2012 in this matter.

5 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the
6 deposition of Brian Blasius, taken May 14, 2013 in this matter.

7 6. Attached hereto as Exhibit 5 is a true and correct copy excerpts of the expert
8 report of Gregory Leonard, dated May 29, 2013 provided in this matter.

9 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts of Kirk
10 Dailey's trial testimony, offered November 20, 2012 in this matter.

11 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts of the
12 deposition of Allen Lo, taken July 12, 2012 in this matter.

13 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts of the
14 deposition of Gregory Leonard, taken June 24, 2013 in this matter.

15 10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts of the
16 deposition of Richard Holleman, taken July 29, 2011 in the matter of Certain Gaming and
17 Entertainment Consoles, Related Software and Components Thereof.

18 11. Attached hereto as Exhibit 10 is a true and correct copy of a letter from Richard
19 Holleman to Motorola, dated November 30, 2008 that was produced by Motorola in this matter
20 under Bates number MOTO-MS-005729470_00009.

21 12. Attached hereto as Exhibit 11 is a true and correct copy of a letter from Horacio
22 Gutierrez to Kirk Dailey ("Nondisclosure Agreement"), dated November 12, 2010 that was
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1 produced by Microsoft in this matter under Bates number MS-MOTO_1823_00002288897 –
2 99.

3 I declare under penalty of perjury under the laws of the United States of America that
4 the foregoing is true and correct.

5 DATED this 29th day of July, 2013 in Seattle, Washington.

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7 s/ Christopher Wion
8 CHRISTOPHER WION
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CERTIFICATE OF SERVICE

I, Florine Fujita, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.

2. On the 29th day of July, 2013, I caused the preceding document to be served on counsel of record in the following manner:

Attorneys for Motorola Solutions, Inc., and Motorola Mobility, Inc.:

Ralph Palumbo, WSBA #04751
Philip S. McCune, WSBA #21081
Summit Law Group
315 Fifth Ave. South, Suite 1000
Seattle, WA 98104-2682
Telephone: 206-676-7000
Email: Summit1823@summitlaw.com

____ Messenger
____ US Mail
____ Facsimile
 X ECF

Steven Pepe (*pro hac vice*)
Jesse J. Jenner (*pro hac vice*)
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036-8704
Telephone: (212) 596-9046
Email: steven.pepe@ropesgray.com
Email: jesse.jenner@ropesgray.com

____ Messenger
____ US Mail
____ Facsimile
 X ECF

Norman H. Beamer (*pro hac vice*)
Ropes & Gray LLP
1900 University Avenue, 6th Floor
East Palo Alto, CA 94303-2284
Telephone: (650) 617-4030
Email: norman.beamer@ropesgray.com

____ Messenger
____ US Mail
____ Facsimile
 X ECF

Paul M. Schoenhard (*pro hac vice*)

Ropes & Gray LLP

One Metro Center

700 12th Street NW, Suite 900

Washington, DC 20005-3948

Telephone: (202) 508-4693

Email: Paul.schoenhard@ropesgray.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

Andrea Pallios Roberts (*pro hac vice*)

Brian C. Cannon (*pro hac vice*)

Quinn Emanuel Urquhart & Sullivan, LLP

555 Twin Dolphin Drive, 5th Floor

Redwood Shores, CA 94065

Telephone: (650) 801-5000

Email: andreaproberts@quinnemanuel.com

Email: briancannon@quinnemanuel.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

Kathleen M. Sullivan (*pro hac vice*)

David Elihu (*pro hac vice*)

Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Ave., 22nd Floor

New York, NY 10010

Telephone: (212) 849-7000

Email: kathleensullivan@quinnemanuel.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

William Price (*pro hac vice*)

Quinn Emanuel Urquhart & Sullivan, LLP

865 S. Figuera St., 10th Floor

Los Angeles, CA 90017

Telephone: (212) 443-3000

Email: williamprice@quinnemanuel.com

MicrosoftvMotoBreachofRANDCase@quinnemanuel.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

DATED this 29th day of July, 2013.

/s/ Florine Fujita

FLORINE FUJITA